

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CIV. NO. 06-00629 DAE/LEK
)	CR. NO. 04-00322 DAE
Plaintiff,)	CR. NO. 05-00049 DAE
)	
vs.)	
)	DECLARATION OF ABRAHAM MARTIN
ABRAHAM NGUYEN MARTIN)	
)	
Defendant.)	
_____)	

DECLARATION OF ABRAHAM MARTIN

ABRAHAM N. MARTIN hereby declares, under penalty of perjury, that the following statement is true to the best of my knowledge, information and belief:

1. I am a defendant/appellant in the above-mentioned civil and criminal case.

2. I was first represented by Mr. William Domingo, former Assistant Federal Public Defender in the District of Hawaii, until about the end of September 2004, in the early stage of the criminal proceeding.

3. I was later represented by Mr. Michael Weight who replaced Mr. William Domingo who left the office for private practice.

4. Mr. Weight, an Assistant Federal Public Defender also in the District of Hawaii, came to visit me for the first time at the Federal Detention Center Honolulu about the end of September or early October 2004.

5. I had high hope in Mr. Weight then, since he seemed to be a "legal fighter", especially after reading a copy of his letter to the Warden at FDC Honolulu regarding some health

condition issue.

6. I received the prosecutor's Motion and two envelopes containing the same "Order" (with different criminal numbers) from the Court **on the same day**, Tuesday March 27, 2007 at 7:00 PM mail call, at FPC Lompoc, California.

7. The Order indicates in the first paragraph, the defendant as "Anthony Durrel Kirksey and the attorney as William Domingo.

8. I welcome the Order of waiver of attorney-client privilege with respect to my Motion 2255 and strongly believe that as a matter of law, a PROTECTIVE ORDER should be entered by the District Court in favor of the defendant, because defendant's waiver extends only to the federal habeas proceedings.

DATED: Honolulu, Hawaii *March 30,* 2007



ABRAHAM N. MARTIN